

TMWA Committee Members:

- Chair Kristopher Dahir
- Vice Chair Jenny Brekhuis
- Vaughn Hartung



WRWC Committee Members:

- Chair Kristopher Dahir
- Vice Chair Naomi Duerr
- Bob Lucey

**CONCURRENT MEETING OF THE
Legislative Subcommittee of the Truckee Meadows Water Authority (TMWA)
And
Legislative Subcommittee of the Western Regional Water Commission (WRWC)**
Tuesday, March 26, 2019 at 8:00 a.m.
TMWA, Independence Conference Room
1355 Capital Blvd., Reno, NV

- 1) Roll call*
- 2) Public comment (limited to no more than three minutes per speaker)*
- 3) Approval of agenda (**For Possible Action**)
- 4) Approval of the TMWA minutes of March 18, 2019 (**For Possible Action**)
- 5) Approval of the WRWC minutes of March 15, 2019 (**For Possible Action**)
- 6) Discussion and possible direction to staff regarding the scheduling of concurrent meetings of TMWA and WRWC Legislative Subcommittees (**For Possible Action**)
- 7) Presentation of status report on legislation of interest to TMWA and possible direction regarding TMWA's Legislative Subcommittee's position on legislation (**For Possible Action**)
- 8) Presentation of status report on legislation of interest to WRWC and possible direction regarding WRWC Legislative Subcommittee's position on legislation. This Item may be combined with Item 7 (**For Possible Action**)
- 9) Committee comments*
- 10) Staff comments*
- 11) Public comment (limited to no more than three minutes per speaker)*
- 12) Adjournment (**For Possible Action**)

Notes:

1. Public comment will be taken on agenda items upon request by submittal of a Speaker Information Card. There is a three-minute time limit per person.
2. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear. The WRWC may take action on any of the action items listed.
3. Facilities in which this meeting is being held are accessible to the disabled. Persons with disabilities who require special accommodations or assistance (e.g. sign language interpreters or assisted listening devices) at the meeting should notify TMWA at 775-834-8002 at least 24 hours prior to the meeting.
4. In accordance with NRS 241.020, this agenda has been posted at the following locations: Reno City Hall (1 East First Street), Sparks City Hall (431 Prater Way), Sparks Justice Court (1675 E. Prater Way), TMWA (1355 Capital Blvd.), Washoe County Administration Building (1001 E. 9th Street), Washoe County Courthouse (Court and Virginia Streets), Washoe County Central Library (301 South Center St.), Galena Market (19990 Thomas Creek Rd.), Galena High School (3600 Butch Cassidy Way), South Valleys Library (15650A Wedge Parkway), Sun Valley GID (5000 Sun Valley Blvd.), Washoe County Department of Water Resources (4930 Energy Way), the TMWA website: <http://tmwa.com> and State of Nevada Public Notice Website, <https://notice.nv.gov/> and the WRWC website: <http://www.wrwc.us>
5. Notice is hereby given that a quorum of the Truckee Meadows Water Authority may be present at the meeting in so much as some members of the WRWC legislative subcommittee are members of the TMWA Board of Directors. Although members constituting a quorum of the Truckee Meadows Water Authority Board may be in attendance at the meeting while serving in different capacities as representative members of different governing bodies (TMWA and WRWC), no deliberations or actions on any matter over which TMWA has supervision or control will be taken within the definition of a "meeting" under NRS 241.015 by persons constituting a quorum of the TMWA Board and acting in their capacity as members of the TMWA Board. This notice is provided in excess of caution given the potential of a quorum to be present at this meeting.

**DRAFT MINUTES OF THE MARCH 18, 2019
MEETING OF THE LEGISLATIVE SUBCOMMITTEE OF
THE TRUCKEE MEADOWS WATER AUTHORITY**

The meeting of the Legislative Subcommittee of the Truckee Meadows Water Authority (TMWA) at TMWA, 1355 Capital Blvd., Reno, Nevada in the Independence Conference Room. Chair Dahir called the meeting to order at 10:12 a.m.

1. ROLL CALL

TMWA Members Present: Members Jenny Brekhus and Kristopher Dahir

TMWA Members Absent: Member Vaughn Hartung

TMWA Legal Counsel Present: Michael Pagni

TMWA Staff Present: Mark Foree, Laura Rader, Danny Rotter, John Zimmerman, and Steve Walker (Walker & Associates)

A quorum of the TMWA Legislative Subcommittee was present.

2. PUBLIC COMMENT

There was no public comment.

3. APPROVAL OF THE AGENDA

**Upon motion duly made and seconded, and carried unanimously, the
TMWA Subcommittee approved the agenda.**

4. APPROVAL OF THE MINUTES OF MARCH 4, 2019

**Upon motion duly made and seconded, and carried unanimously,
the TMWA Subcommittee approved the minutes of March 4, 2019.**

5. NOMINATION AND ELECTION OF VICE CHAIR OF THE LEGISLATIVE
SUBCOMMITTEE OF TMWA

**Upon motion duly made and seconded, and carried unanimously,
the TMWA Subcommittee approved Member Brekhus to be Vice
Chair of the TMWA Legislative Subcommittee.**

6. DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING THE SCHEDULING
OF MEETINGS OF TMWA'S LEGISLATIVE SUBCOMMITTEE

Discussion followed regarding whether to hold a concurrent meeting of TMWA and Western Regional Water Commission (WRWC) and the best day and time for all parties involved. The subcommittee decided to schedule its next meeting on Tuesday, March 26th at 8am and Jim Smitherman, WRWC

Program Director, would confirm WRWC legislative subcommittee members attendance to hold a concurrent meeting.

Upon motion duly made and seconded, and carried unanimously, the TMWA Subcommittee approved to hold a TMWA Legislative Subcommittee meeting on Tuesday, March 26th at 8am with the possibility of it being a concurrent meeting with WRWC.

7. PRESENTATION OF STATUS REPORT ON LEGISLATION OF INTEREST TO TMWA AND POSSIBLE DIRECTION REGARDING TMWA'S POSITION ON LEGISLATION

John Zimmerman, TMWA Water Resources Manager, referred to the tables of approved bills (Attachment 1) and their status.

Steve Walker, TMWA Lobbyist, referred to the table of new bills (Attachment 2) that required action on positions recommended by staff. Bills with positions other than watch were discussed: AB265, support with amendment (Desert Research Institute project to study water treatment and recycling); SB231, oppose, similar to AB136, also staff recommendation to oppose (revise how prevailing wage is determined); SB250, oppose (limit rights to appropriate water dedicated to certain public entities).

Discussion followed regarding bringing AB136, AB138, SB231 and SB245 to the TMWA Board meeting on March 20 for action along with an update on SB 250 and AB 265, while approving staff recommendation on all other bills.

Upon motion duly made and seconded, and carried unanimously, the TMWA Subcommittee approved staff recommendations on all bills in Attachment 2 except to defer action on AB 136, AB 138, SB 231 and SB 245 to the TMWA Board meeting on March 20.

8. COMMITTEE COMMENTS

Chair Dahir directed staff to bring to the TMWA Board only those bills on which the Subcommittee did not adopt or change staff's recommended positions.

9. STAFF COMMENTS

There were no staff comments.

10. PUBLIC COMMENT

There was no public comment.

11. ADJOURNMENT

With no further business, to discuss, Chair Hartung adjourned the meeting at 10:32 a.m.

Approved by the Legislative Subcommittee of the Truckee Meadows Water Authority on

Submitted by,

Sonia Folsom, Recording Secretary

DRAFT



STAFF REPORT

TO: Chairman and Committee Members
FROM: John Zimmerman, Water Resources Manager
DATE: March 21, 2019
SUBJECT: **Presentation of status report on legislation of interest to TMWA and possible direction regarding TMWA's position on legislation**

At the meeting, staff will provide a list of all new bills introduced since the date of the last TMWA Legislative Subcommittee report. Staff, TMWA lobbyist Steve Walker, and General Counsel Michael Pagni will review all new bills and recommended positions and answer any questions from the Subcommittee on those bills and positions. Mr. Walker will also update the Subcommittee on the progress of any bills the Board or Subcommittee has already taken a position on and answer any questions regarding the session.

Key 2019 Legislative Deadlines:

February 4-----Session Begins
February 11----Legislators' BDR Requests
March 18-----Legislators' Bill Introductions
March 25-----Committees' Bill Introductions
April 12-----Committee Passage (1st House)
April 23-----First House Passage
May 17-----Committee Passage (2nd House)
May 24-----Second House Passage
June 3-----Session Ends

Sponsor	Status / Location	Last Meeting and Action	Next Meeting	Tags	Staff Recommended Position
AB264 Assemblymen Peters, Flores, Fumo and Neal; Senator Scheible	Government Affairs	Makes various changes relating to relations between state agencies and Indian nations or tribes. (BDR 18-671)		Governance	WATCH
AB266		Revises provisions governing the sealing of records relating to evictions. (BDR 3-809)			
Sponsor	Status / Location	Last Meeting and Action	Next Meeting	Tags	Notes
Bilbray-Axelrod	Judiciary	Assembly Committee on Judiciary 3/22/2019 8:00 AM Amend, and do pass as amended		Governance, Open Meeting, Records, Boards, Elections	WATCH
AB271 Peters	Commerce and Labor	Revises provisions relating to call centers. (BDR 53-900)		Governance	WATCH
AB274 Neal, Torres and Watts	Government Affairs	Revises provisions relating to governmental administration. (BDR 18-86)	Assembly Committee on Government Affairs 3/27/2019 8:30 AM	Governance, Human Resources	WATCH
AB280 Flores	Government Affairs	Revises provisions governing document preparation services. (BDR 19-254)		Governance, Open Meeting, Records, Boards, Elections	WATCH
AB296 Edwards	Government Affairs	Revises provisions relating to governmental administration. (BDR 31-557)		Governance	WATCH

Sponsor	Status / Location	Last Meeting and Action	Next Meeting	Tags	Staff Recommended Position
AB344 Carlton		Makes various changes to modernize the provision of cellular coverage. (BDR 58-838)		Information Tech	WATCH
AB359 Assemblymen Hafen, Leavitt, Tolles, Kramer and Hardy; Senator Hammond	Education	Revises provisions relating to work-based learning programs. (BDR 34-853)		Human Resources	WATCH
AB369 Jauregui	Government Affairs	Revises provisions relating to common-interest communities. (BDR 10-284)		Water Rights (WR-rights, resources, conservation)	WATCH
AB370 Daly	Commerce and Labor	Revises provisions relating to workers' compensation. (BDR 53-6)		Human Resources	WATCH
AB371 Daly	Government Affairs	Revises provisions governing public records. (BDR 19-16)		Open Meeting, Records, Boards, Elections	OPPOSE
AB379 Daly	Government Affairs	Revises provisions relating to local governments. (BDR 20-638)		Governance	WATCH
AB384 McCurdy	Commerce and Labor	Revises provisions relating to employment practices. (BDR 53-869)		Emergency Mgmt, Safety, Motor Vehicles, Governance, Human Resources	WATCH

Sponsor	Status / Location	Last Meeting and Action	Next Meeting	Tags	Staff Recommended Position
SB280 Settelmeyer, Kieckhefer and Goicoechea	Revises provisions relating to state lands. (BDR 26-975) Natural Resources			Property, Water Rights (WR-rights, resources, conservation)	OPPOSE (as written)
SB287 Parks, Hansen, Spearman, Denis and Woodhouse	Revises provisions governing public records. (BDR 19-648) Government Affairs			Governance, Open Meeting, Records, Boards, Elections	WATCH
SB290 Hardy	Requires network plans to reimburse out-of-network providers of health care for certain services. (BDR 57-72) Commerce and Labor			Financial, Risk Management, Human Resources	WATCH
SB300 Brooks	Requires electric utilities to share a portion of their earnings with customers under certain circumstances. (BDR 58-302) Growth and Infrastructure	Senate Committee on Growth and Infrastructure 3/21/2019 1:30 PM Heard, No Action		Energy, Financial, Risk Management	WATCH
SB302 Seevers Gansert	Revises provisions relating to personal information collected by governmental agencies. (BDR 52-547) Commerce and Labor		Senate Committee on Commerce and Labor 3/27/2019 1:00 PM	Information Tech	WATCH
SB327 Kieckhefer	Revises provisions relating to land use planning. (BDR 22-883) Government Affairs			Property	WATCH
SB334 Senator Cannizzaro; Assemblywoman Bilbray-Axelrod	Establishes provisions relating to net neutrality. (BDR 27-68) Government Affairs			Financial, Risk Management, Governance, Information Tech	OPPOSE

Sponsor	Status / Location	Last Meeting and Action	Next Meeting	Tags	Staff Recommended Position
SB337		Adopts a majority-of-the-votes-cast standard for determining the winner of certain elections conducted by the Local Government Employee-Management Relations Board. (BDR 23-1020)			
Ohrenschall	Government Affairs			Human Resources	WATCH
SB339		Revises provisions relating to public records. (BDR 19-821)			
Denis	Government Affairs			Open Meeting, Records, Boards, Elections	WATCH
SB340		Revises provisions relating to public works. (BDR 28-808)			
Dondero Loop, Parks, Brooks, Cancela, Cannizzaro, Ratti and Woodhouse	Government Affairs			Public Works	OPPOSE
SB358		Revises provisions relating to the renewable energy portfolio standard. (BDR 58-301)			
Brooks, Cannizzaro and Denis	Growth and Infrastructure				WATCH
SB359		Provides for continued coverage for health care for certain chronic health conditions. (BDR 57-627)			
Senators Pickard, Hardy and Settlemeyer; Assemblymen Hardy, Kramer, Edwards, Ellison, Leavitt and Roberts	Commerce and Labor			Human Resources	WATCH
SB365		Revises provisions relating to health insurance. (BDR 57-684)			
Dondero Loop, Parks, Woodhouse and Brooks	Commerce and Labor			Human Resources	WATCH
SB377		Revises provisions relating to workers' compensation. (BDR 53-1025)			
Harris	Commerce and Labor				WATCH
SB381		Revises provisions relating to workers' compensation. (BDR 53-1157)			
Cannizzaro	Commerce and Labor			Human Resources	WATCH

Sponsor	Status / Location	Last Meeting and Action	Next Meeting	Tags	Staff Recommended Position
SB382 Cannizzaro	Judiciary	Revises provisions relating to real property. (BDR 9-1067)		Property	WATCH
SB388 Denis	Government Affairs	Revises provisions relating to public records. (BDR 19-827)		Open Meeting, Records, Boards, Elections	WATCH
SB398 Ratti	Government Affairs	Revises provisions relating to affordable housing. (BDR 20-1074)		Governance	WATCH
SB422 Ohrenschall	Commerce and Labor	Revises provisions relating to industrial insurance. (BDR 53-1085)		Human Resources	WATCH

WESTERN REGIONAL WATER COMMISSION
STAFF REPORT

DATE: March 20, 2019
TO: Legislative Subcommittee, Western Regional Water Commission (“WRWC”)
FROM: John B. Rhodes, Legal Counsel
SUBJECT: Report on legislative activities, including Bill Draft Requests (“BDRs”) and Bills pending in the 2019 session of the Nevada Legislature that may affect or are of interest to the WRWC and the Northern Nevada Water Planning Commission (“NNWPC”).

WRWC Legal Counsel will present a verbal report, and submit a written staff report that lists BDRs and Bills pending in the 2019 Nevada Legislature, as of March 22, 2019, that may affect or are of interest to the WRWC and the NNWPC. The WRWC Legislative Subcommittee will have an opportunity to take a position on Bills not previously considered, or revise any recommendations previously made.

Bill Drafts Requested and Bills Introduced

Water Issues

BDR/Bill	Sponsor	Subcommittee Position
44	Assemblyman Oscarson Revises provisions relating to water. (3/20/18)	Neutral/Watch
1177	Office of Finance in the Office of the Governor Makes appropriations from the General Fund to the Department of Agriculture for water conservation purposes. (2/22/19)	Neutral/Watch
1243	Office of Finance in the Office of the Governor Creates the Advisory Board of Water Resources Planning and Drought Resiliency. (2/22/19)	Neutral/Watch
AB30	Committee on Natural Resources, Agriculture, and Mining Expands authority of State Engineer through 3M Plans. (BDR 48-214, 11/16/18)	Neutral/Watch
AB51	Committee on Natural Resources, Agriculture, and Mining Expands authority of State Engineer over conjunctive management of groundwater and surface water. (BDR 48-213, 11/18/18)	Neutral/Watch
AB62	Committee on Natural Resources, Agriculture, and Mining Expands authority of State Engineer to extend time for improvements required for Permits. (BDR 48-215, 11/19/18)	Neutral/Watch
AB84	Assembly Committee on Ways and Means Provides bonding to protect and preserve natural resources, including the lower Truckee River. (BDR S-326, 11/21/18)	Support
AB95	Legislative Committee on Public Lands (NRS 218E.510) Requires State Engineer to allow domestic well pumping under certain circumstances after restriction of withdrawals. (BDR 48-504, 1/24/19)	Neutral/Watch
AB163	Assemblyman Watts and Senator Brooks Revises minimum standards for plumbing fixtures in new construction and renovations. (BDR 48-798, 2/15/19)	Neutral/Watch
AB220	Legislative Committee for Oversight of TRPA and Marlette Lake (NRS 218E.555) Provides bonding for environmental improvement projects in the Tahoe Basin. (BDR S-435, 2/21/19)	Support
AB233	Assemblyman Kramer, Assemblywoman Hardy; Senators Goicoechea and Parks Allows counties to pay state water assessments from general fund. (BDR 48-45, 3/1/19)	Neutral/Watch

BDR/Bill	Sponsor	Subcommittee Position
AB265	Assemblymen Peters, Swank, and Watts Requires the Desert Research Institute to conduct a study on water treatment and recycling. (BDR S-901, 3/14/19)	Neutral/Watch
SB140	Senate Committee on Natural Resources Requires the State Engineer to reserve 10% of any unappropriated water for temporary use in emergencies. (BDR 48-541, 2/11/19)	Neutral/Watch
SB236	Senators Goicoechea, Brooks, and Hansen Eliminates requirement for a change application where a new point of diversion is within 300' of original point of diversion on same property. (BDR 48-635, 2/27/19)	Neutral/Watch
SB150	Senators Goicoechea Requires governing bodies to develop water resource plans analyzing whether identified sources of water are sufficient to meet future demands. (BDR 22-775, 2/12/19)	Neutral/Watch
SB250	Senator Settelmeyer Requires that any water rights dedicated to a public entity to support development must remain so dedicated. (BDR 48-664, 3/5/19)	Neutral/Watch

Ethics Issues

BDR/Bill	Sponsor	Subcommittee Position
SB129	Senate Committee on Legislative Operations and Elections Makes numerous revisions to the Nevada Ethics in Government Law. (BDR 23-191, 2/1/19)	Neutral/Watch

Public Records Issues

BDR/Bill	Sponsor	Subcommittee Position
19-16	Assemblyman Daly Redefines the term "public record" for public access to state and local government records. (8/30/17)	Neutral/Watch
20-763	Assemblyman Fumo Revises confidentiality of personal information of certain public employees. (12/10/18)	Neutral/Watch
SB224	Senators Ratti, Parks, and Woodhouse Provides that the names of individuals receiving PERS benefits shall be confidential. (BDR 19-598, 2/18/19)	Neutral/Watch

SB287	Senator Parks Revises numerous provisions relating to public access to public records. (BDR 19-648, 3/15/19)	Neutral/Watch
SB302	Senators Seevers and Gansert Revises provisions regarding personal information collected by government agencies. (BDR 52-547, 3/18/19)	Neutral/Watch

Open Meeting Issues

BDR/Bill	Sponsor	Subcommittee Position
AB70	Attorney General Makes numerous revisions to the Nevada Open Meeting Law. (BDR 19-421, 11/20/18)	Neutral/Watch
AB127	Assemblywoman Cohen Requires any person who receives compensation for testifying before a public body to disclose that fact prior to testifying. (BDR 19-272, 2/12/19)	Neutral/Watch
SB183	Senators Gansert, Hardy, and Hammond Makes numerous revisions to the Nevada Open Meeting Law, including notice provisions. (BDR 19-537, 2/18/19)	Neutral/Watch

Other Areas of Interest

BDR/Bill	Sponsor	Subcommittee Position
AB101	Assemblyman Daly Authorizes a private plaintiff to bring an action for declaratory relief against a governmental entity for violation of state or local law. (BDR 3-26, 1/28/19)	Neutral/Watch
SB96	Senate Committee on Natural Resources Creates a program for grants to local governments for matching funds to secure federal grants for projects relating to public lands. (BDR 26-510, 1/24/19)	Support
SB245	Senator Ohrenschall Increases cap on tort actions against governmental entities from \$100,00 to \$250,000 and \$1,000,000 for gross negligence. (BDR 3-965, 3/1/19)	Neutral/Watch